

ESTTA Tracking number: **ESTTA104958**

Filing date: **10/18/2006**

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE
BEFORE THE TRADEMARK TRIAL AND APPEAL BOARD

Proceeding	91167991
Party	Defendant Maidenform, Inc. Maidenform, Inc. 200 Madison Avenue New York, NY 10016
Correspondence Address	Jennifer A. Prioleau 154 Avenue E. Bayonne, NJ 07002 UNITED STATES jprioleau@maidenform.com
Submission	Stipulated/Consent Motion to Reopen
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Signature	/jp73/
Date	10/18/2006
Attachments	Consented Motion to Reopen Discovery and Extend Trial Dates.pdf (3 pages) (23981 bytes)

CERTIFICATE OF TRANSMISSION

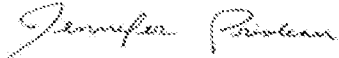
I hereby certify that this correspondence is being transmitted by electronic mail to the United States Patent and Trademark Office on the date shown below.

October 18, 2006

Date of Transmission

Jennifer A. Prioleau

Name of applicant, assignee or
Registered Representative



Signature

October 18, 2006

Date of Signature

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE
BEFORE THE TRADEMARK TRIAL AND APPEAL BOARD

In the Matter of Serial No. 78/363,351)

For the Mark: ONE FABULOUS FIT)

)

The H.D. Lee Company, Inc., Applicant)

)

v.) Opposition No. 91167991

)

Maidenform, Inc., Applicant.)

CONSENTED MOTION TO REOPEN DISCOVERY AND EXTEND TRIAL
PERIODS

Applicant, Maidenform, Inc. hereby files this Consented Motion to: (1) reopen and extend the discovery period for a sixty (60) day period and (2) extend the testimony periods in this proceeding for a sixty (60) day period, and respectfully request that the dates be extended as follows:

Discovery Period to close:

November 29, 2006

Thirty-Day Testimony Period for
party in position of Plaintiff to close:

February 27, 2007

Thirty-Day Testimony Period for

party in position of Defendant to close:

April 28, 2007

Fifteen-Day Rebuttal Testimony Period
to close:

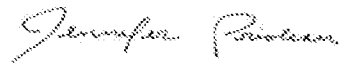
June 12, 2007

On September 30, 2006, the Discovery Period closed. At that time, Applicant and Opposer were engaged in settlement discussions and currently Applicant and Opposer are still engaged in settlement negotiations. This Consented Motion has been filed so that the parties can continue to negotiate a settlement, and if settlement fails, to fully meet and complete their respective discovery obligations, and is not made for purposes of delay.

In-house counsel for Opposer, Helen Winslow, consented to this Motion in an e-mail dated October 18, 2006.

Respectfully submitted,

MAIDENFORM, INC.



Dated October 18, 2006

By: _____

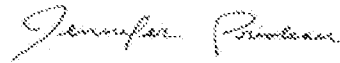
Jennifer A. Prioleau
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Attorney for Applicant

CERTIFICATE OF SERVICE

The undersigned hereby certifies that a true and correct copy of the foregoing
CONSENTED MOTION TO REOPEN DISCOVERY AND EXTEND TRIAL
PERIODS was served on Opposer on this 18th day of October, 2006, by first class mail,
postage prepaid, addressed as follows:

Mr. Paul J. Kennedy, Esq.
Pepper Hamilton LLP
18th and Arch Streets
Philadelphia, PA 19103-2799



Jennifer A. Prioleau